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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

Isar Patent 1084.1-KGB

First Inventor

JURGEN HESCHELER

Title

SEE APPENDIX

Express Mail Label No.

EV 015944077 US

APPLICATION ELEMENTS.

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 17]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]

5. Oath or Declaration [Total Pages 2]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement [] Power of Attorney
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure
Statement (IDS)/PTO-1449 [] Copies of IDS
Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.

17. ☒ Other: APPENDIX, EXPRESS MAIL CERTIFICATE

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,
or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/446,717

Prior application information: Examiner J. WOITACH

Group / Art Unit: 1632

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied
under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by
reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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or ☐ Correspondence address below

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Address

City

State

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Country

Telephone

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Name (Print/Type) KURT G. BRISCOE

Registration No. (Attorney/Agent)

33,141

Signature

Date

February 28, 2002

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comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office,
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Patent Application, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT****\$370.00****Complete if Known**

Application Number	To Be Assigned
Filing Date	HEREWITH
First Named Inventor	JURGEN HESCHELER
Examiner Name	J. Woitach
Group Art Unit	1632
Attorney Docket No.	101541-1 / Isarpent 1084.1-KGB

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

14-1263

Deposit
Account
Name

Norris McLaughlin & Marcus

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
 to the above identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	370.00		
106 330	206 165	Design filing fee			
107 510	207 255	Plant filing fee			
108 740	208 370	Reissue filing fee			
114 160	214 80	Provisional filing fee			
SUBTOTAL (1)					\$370.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below		Fee Paid
Total Claims	Independent Claims	Multiple Dependent		
17	3	0	0	0.00
				0.00
				0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
103 18	203 9	Claims in excess of 20			
102 84	202 42	Independent claims in excess of 3			
104 280	204 140	Multiple dependent claim, if not paid			
109 84	209 42	** Reissue independent claims over original patent			
110 18	210 9	** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2)					\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath			
127 50	227 25	Surcharge - late provisional filing fee or cover sheet			
139 130	139 130	Non - English specification			
147 2,520	147 2,520	For filing a request for ex parte reexamination			
112 920*	112 920*	Requesting publication of SIR prior to Examiner action			
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action			
115 110	215 55	Extension for reply within first month			
116 400	216 200	Extension for reply within second month			
117 920	217 460	Extension for reply within third month			
118 1,440	218 720	Extension for reply within fourth month			
128 1,960	228 980	Extension for reply within fifth month			
119 320	219 160	Notice of Appeal			
120 320	220 160	Filing a brief in support of an appeal			
121 280	221 140	Request for oral hearing			
138 1,510	138 1,510	Petition to institute a public use proceeding			
140 110	240 55	Petition to revive - unavoidable			
141 1,280	241 640	Petition to revive - unintentional			
142 1,280	242 640	Utility issue fee (or reissue)			
143 460	243 230	Design issue fee			
144 620	244 310	Plant issue fee			
122 130	122 130	Petitions to the Commissioner			
123 50	123 50	Processing fee under 37 CFR § 1.17(q)			
126 180	126 180	Submission of Information Disclosure Statement			
581 40	581 40	Recording each patent assignment per property (times number of properties)			
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))			
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))			
179 740	279 370	Request for Continued Examination (RCE)			
169 900	169 900	Request for expedited examination of a design application			
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**SUBMITTED BY**

Name (Print/Type)	KURT G. BRISCOE	Registration No. (Attorney/Agent)	33,141	Telephone	(212) 808-0700
Signature		Date	February 28, 2002		

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TRANSMITTAL OF FORMAL DRAWINGS

Docket No.
Isarpatent 1084.1-KGB

In Re Application Of: **JURGEN HESCHELER**

Serial No.	Filing Date	Batch No.	Examiner	Art Unit
TO BE ASSIGNED	HEREWITH		J. WOITACH	1632

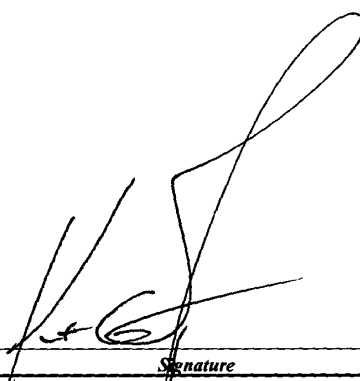
Invention: **FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC REPORTERS**

Address to:
**Assistant Commissioner for Patents
Washington, D.C. 20231**

Transmitted herewith are:

FOUR (4) sheets of formal drawing(s) for this application.

☒ Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c).



Signature
**KURT G. BRISCOE
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NORRIS MCLAUGHLIN & MARCUS
220 EAST 42ND STREET
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NEW YORK, NEW YORK 10017
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Dated: **Feb. 28, 2002**

I certify that this document and attached formal drawings are being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **JURGEN HESCHELER**

Docket No.

Isarpatent 1084.1-KGBSerial No.
To Be AssignedFiling Date
HerewithExaminer
J. WoitachGroup Art Unit
1632Invention: **FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC REPORTERS**

I hereby certify that the following correspondence:

Utility Patent Application Transmittal; Appendix; Fee Transmittal in duplicate; Specification consisting of description (pages 1-13); 14 Claims (pages 14-16); Abstract (page 17); 4 Pages of Drawings; Combination Declaration & Power of Attorney; Preliminary Amendment; Information Disclosure Statement; PTO 1449; Return Receipt Postcard*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 28, 2002*(Date)***Jennifer Archer***(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)***EV 015944077 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

APPENDIX

TITLE: FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC
REPORTERS

LIST OF INVENTORS: JÜRGEN HESCHELER Nationality: German
Eckdorfer Strasse 7
D-50968 Köln
Germany

CLAIM TO PRIORITY:

Priority is hereby claimed under 35 USC 119 on the basis of German Application No. 197 27 962.7, filed on July 2, 1997. Priority is also claimed under 35 USC 120 on the basis of U.S. Serial No. 09/446,717, filed on April 13, 2000, now pending, which is, in turn, a 371 of PCT/EP98/03988, filed on June 30, 1998. The filing of the priority document was acknowledged in a communication from the Patent and Trademark Office dated August 14, 2000.

ASSIGNMENT:

The prior application is assigned to Axiogenesis AG, Auerstrasse 04; D-50733 Köln, Germany.

"Express Mail" Mailing Label No. EV 015944077 US

Date of Deposit: February 28, 2002

NORRIS, McLAUGHLIN & MARCUS

By: 